

REMARKS

Claims 1, 3-9, 11-20, 22-35 and 37 are pending in this application. By this Amendment, claims 1, 3-9, 11-20, 22, 24-27, 29-35 and 37 are amended and claim 2 is canceled without prejudice or disclaimer.

Entry of this amendment is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance for the reasons set forth below; (2) do not raise any new issues requiring further search and/or consideration; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal should an appeal be necessary. More specifically, independent claim 1 is amended to include features of dependent claim 2, claim 7 is rewritten in independent form (to include features of claim 7 and original claim 1) and claim 11 is written in independent form to include features of independent claim 1. Further amendments to claims merely relate to changing the preamble to be consistent with the respective independent claims. Thus, no new or further issues are raised by these amendments. Entry is therefore proper under 37 C.F.R. §1.116.

The Office Action rejects claims 1, 8, 9, 16-20, and 22 under 35 U.S.C. §102(e) over WO 00/08870 to Ha. The Office Action also rejects claim 27 under 35 U.S.C. §103(a) over U.S. Patent 6,567,478 to Oishi in view of U.S. Patent 5,566,213 to Carsello. These rejections are respectfully traversed.

Applicants gratefully acknowledge the Office Action's indication that claims 23-26, 28-35 and 37 are allowed and that claims 2-7 and 11-15 contain allowable subject matter. By this Amendment, independent claim 1 is amended to include features of allowable dependent claim

2, dependent claim 7 is rewritten in independent form, and dependent claim 11 is rewritten in independent form. Claim 7 is amended to include features of original independent claim 1. In particular, the Office Action dated December 17, 2004 stated that such a claim would be allowable. Furthermore, independent claim 18 includes allowable features from dependent claim 2. Thus, independent claim 18 is allowable for at least similar reasons.

The Office Action also rejects claim 27 based on the combination of Oishi and Caresello. However, Oishi is not prior art to the present application under 35 U.S.C. §102(e). More specifically, Oishi is based on a continuation of a PCT application filed on July 28, 1999, which is prior to November 29, 2000. As discussed in MPEP §706.02(f)(1)(3) and more specifically in Example 9, Oishi is prior art as of the filing date of the U.S. application, namely November 7, 2001. For example, as described in Example 9 in MPEP §706.02(f)(1), Oishi is based on a U.S. application which is a continuation of an international application filed prior to November 29, 2000. Therefore Oishi has a 35 U.S.C. §102(e) prior art date as of the actual U.S. filing date. That is, no benefit of the international application is given for 35 U.S.C. 102(e) prior art purposes. The present application was filed on August 3, 2001, which is prior to the 35 U.S.C. §102(e) prior art date of Oishi. Accordingly Oishi is not prior art to the present application. Furthermore, Carsello does not teach or suggest all the features of independent claim 27. Thus, independent claim 27 defines patentable subject matter as least for these reasons.

Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

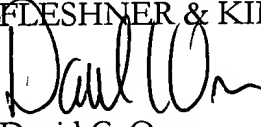
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Reply to Office Action of August 9, 2005

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CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 3-9, 11-20, 22-35 and 37 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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